

**JAMUL DULZURA  
COMMUNITY PLANNING GROUP  
DRAFT MINUTES  
Tuesday, May 25, 2010  
(To be approved June 8, 2010)  
Oak Grove Middle School Library  
7:30 pm**

1. **Call to Order:** Dan Kjongegaard called the meeting to order at 7:30 p.m.
2. **Roll Call Present:** Dan Kjongegaard, Janet Mulder, Jonathan Shultz, Dan Neirinckx, James Talbot, Frank Hewitt, Steve Wragg Michael Casinelli, Earl Katzer, Dale Fuller, Yvonne Purdy-Luxton and Judy Bohlen

**Absent:** Randy White,

**Excused:** Wythe Davis, Krishna Toolsie

3. **Motion to approve the Agenda for May 25, 2010 as posted 72 hours before the meeting correcting to reflect the chair is moving item 9 to item 5 which is not listed on the agenda, and the minutes for May 11, 2010 correcting the minutes to reflect that Item 4B should read “Judy Bohlen contacted the DPLU and they sent her the disk. Anyone unable to attend will need to contact the DPLU for a disk as it comes with a verification letter that needs to be signed and returned to the DPLU. Motion carried unanimously.**

4. **Open Form - Opportunity for public to speak on any item not on the agenda - limit 3 minutes**

- a. **Dan Kjongegaard read the seats that are up for election on the November 2, 2010 ballot are,**

Seat 2:	Judy Bohlen	Expiration Date:	1/3/11
• Seat 4:	Janet Mulder	Expiration Date:	1/3/11
• Seat 6:	Randy White	Expiration Date:	1/3/11
• Seat 8:	Michael Casinelli	Expiration Date:	1/3/11
• Seat 10:	Krishna Toolsie	Expiration Date:	1/3/11
• Seat 12:	Dan Kjongegaard	Expiration Date:	1/3/11
• Seat 14:	Wythe Davis	Expiration Date:	1/3/11

The candidate filing period begins on July 12 and ends on August  
**All** nomination papers must be filed (returned) **ONLY** in the office  
of the Registrar of Voters.

**5201 Ruffin Road, Suite I, San Diego, Ca 92123**

If incumbent members of the Planning Group want to continue in office, they should file by the August 6 deadline. You may prepare and submit a candidate qualification statement for inclusion into the ballot, there will be a fee for this which is paid for by the candidate. **Dan Kjongegaard also announced that any**

**member of the public who is interested should also submit their application by the above deadline dates. QUESTIONS? CALL 858-694-3405**

- b. Earl Katzer announced that he did not get the minutes nor the message about the change in date for the training as his email is incorrect. Dan asked him to give his correct email and he would update the roster and Janet will update the minute's list.**

**5. Presentation on Proposed SDG&E Jamul Substation – Don Parent, Joe Zulauf, Thomas Acuna, Dash Meeks, and Ellis Jones from SDG&E**

**Don Parent, Public Affairs Manager**, pointed out that SDG&E had informed the sub-committee that they wished to give a summary of the process they followed working with the sub-committee and giving us the information that they do not see any other viable sites and would give us a summary of the review of the site alternatives. However, Issues are pending internally in senior management regarding SDG&E moving forward with the process and therefore they will not be giving us a complete summary process of the site determination at this time, but will do it in the future. The Planning Group's communication with the County asked SDG&E to be clear on the steps in the application process and that is what they will discuss tonight. It will be a general CPUC application process that they will be describing.

Don introduced **Thomas Acuna**, Supervisor from Environmental Services Land Planning, who has spoken with Eric Gibson in response to our letter. **Eric Gibson** told him that the JDCPG felt that the substation was going to be built on the land purchased and there was nothing they could do about it. The CPUC has a transparent process in which they work with the communities and the county to develop the best plan. He called on **Dash Meeks** to describe the process and also gave us a paper from the CPUC web page that tells the complete process. **Dash** has attended a number of the sub-committee meetings and gave out his phone number **(858-637-3711)** in case we have any further questions. Rules for Planning and Construction in the State of California for 69KV, using **131D** which lists the process they must use. The CPUC can approve or disapprove the application. SDG&E plans to apply for the ability to construct the line. General order 131D has four purposes: 1) address CEQA, (permit process and CEQA occur parallel) 2) address public notice requirements 3) address obligation to serve customers in timely and efficient manner 4) address the need for streamlining the process to permit a sub-station (now down to 12-18 months) They will not apply without giving notice to all stakeholders which includes JDCPG, Planning Commission and surrounding residents, and to notice both in newspaper and by posting it both at site and off-site. CPUC has final responsibility but they need to consult local land use agencies including JDCPG.

**Jim Talbot** had a copy of General **Order 131D dated 1995** and Dash assured him that was the latest copy found on the CPUC website. **Frank Hewitt** asked who certifies the CEQA document (EIR) and **is concerned that it appears that SDG&E is doing the same thing as Otay meaning buying**

the land, then taking a look at the other possible sites, and finally choosing the one that you originally bought. A second question Frank Hewitt raised was that he is concerned when they talk about applying for a negative dec when we feel strongly that it would and should require an EIR.

**Don Parent** pointed out that there were originally nine sites brought to the Planning Group in September 2006, and SDG&E indicated that one of them was the preferred site and it was the one they ended up purchasing.

**Dan Neirinckx** asked **Tom Acuna** what was the time frame from when the application was filed until decision will be made – and was told 18-24 months. Dan also asked which people would need to be notified and **Dash** said the property owners within 300 feet of the transmission line right of way and actual substation. Dan also recommended that they use *The Jamul Shopper* for their notification. **Jim Talbot** pointed out that there are only 20 days to file a protest with CPUC from the time the notice is mailed or newspaper ad is published. After that, if CPUC determine that there is an issue in the community, then there are 30 days in which to file the information. **Dan Neirinckx** asked what is driving the “gotta do it now or die” – why is it necessary **Ellis Jones**, said they need to look at both reliability and capacity and in the Jamul area there is a deficiency. In the next four years, they hope to have it taken care of by the substation in Jamul. They must plan ahead as they need 4-5 years to get a substation on line. If they did not do it, it would lead to liability problems. **Frank Hewitt** pointed out that it was not the service issue, but the site that was the issue. It is the community character and location that we have to work with. **Dan Neirinckx** asked if there is a date that they must address any deficiency by or have problems.

**Dan Kjongegaard** asked about the notification process and asked that **SDG&E** notify him as Chair and Janet as Secretary the date of the filing of the application with CPUC. **Dan Kjongegaard** stated that he would like to be able to write the CPUC that we all agreed with the site selection, and asked SDG&E to work with the sub-committee to achieve this.

**Jim Talbot** pointed out that there are two issues he would like to discuss. The first is the location of the transmission lines. At the beginning, SDG&E was coming up SR94 as the preferred route, but today it is changed and the site needs to be reviewed if they are changing from SR94 route. **Joe Zulauf** stated that when SDG&E does their CEQA review they would look at alternative routes. **Ellis Jones** stated that it is safe to assume that SR94 would not be used due to Federal ownership restrictions. **Don Parent** pointed out that the sub-committee has given a lot of input over the past couple of years, and while they are still looking, they have not found a more suitable site than their preferred (and purchased site). **Jim Talbot** and **Dan Neirinckx** met with **Rob Cameron of Otay Land – Baldwin Properties** and were told that site 13 which is our (JDCPG) preferable site that they had originally indicated they were not willing to sell that particular development bubble. However, they are willing to sell space that is identified as “open space” and some of it is located right under the transmission lines. **Dan Neirinckx** pointed out that it is “zoned

open space” and the County said that a utility substation would be able to build on zoned open space. **Jim Talbot** would ask that SDG&E look at site 13. When he asked about sites 10 and 10a that have the easement, Rob Cameron told him that they would be willing to move the easement. **Jim** pointed out that he does not want to see the transmission lines going through our community and both of these properties would be better **Don Parent** said he was not too optimistic in dealing with **Rob Cameron** as they had not had good luck working with him. **Steve Wragg** stated that when SDG&E were at the JDCPG in 2006, he does not remember the Simpson site as being the preferred site, and they told us they would be back. His concern is that they did not look at the sites as they have stated. **Don Parent** stated that they have tried to find a site that we would agree with and worked with the sub-committee for two years and have not come up with one that would work for them that we would agree with.

**Janet Mulder** pointed out that she believes that SDG&E has not adhered to a true definition of input from the community, as the JDCPG has given lots of input on each of the sites they presented including being aware of the importance of maintaining our community character and the importance of NOT building the substation in the town center (which would be defined by all residents as “Simpson’s Nursery”) and SDG&E has not heard any of it! SDG&E has chosen to GIVE lots of input, but have not heard the JDCPG’s input or at least do not seem to pay attention to our concerns. They seem to have predetermined that their site (for which they paid way too high of a price, according to three realtors in the audience when it was announced that they paid \$1 million for the 3 acre parcel), is the ONLY site which they will seriously consider. She stated that she hopes the CPUC will expect SDG&E to have paid more attention to the community input and less to their premature decision to buy this parcel when making their final decision. **Judy Bohlen** asked who did the “due diligence” prior to the purchase of the Simpson property? She pointed out that we did not hear anything from SDG&E for a long time after the purchase had been made. She further pointed out that the proposed substation’s footprint is three times the size of Jamacha Sub-station and that the new one would service Rancho San Diego by back feeding into it. This one should be substantially smaller! **Ray Deitchman** property owner next to proposed sub-station, and a member of the sub-committee, wanted to make sure that the notification process would indeed be 300 feet from the right of way to the property line. **Dash** assured him it would. **Dave Buller** who was originally involved but felt that the site selection was negated by the SDG&E attitude that the site they purchased was the only site they considered. The re-routing of the transmission lines will negatively impact the community. He feels that sites 10a and 10 are substantially superior. **Alan Austin** asked if it were 20 calendar days allowed for input (**Dash will confirm this**) and he feels that SDG&E is using words to create fear of lack of electricity in order to promote the substation.

**Don Parent** stated that he feels that SDG&E has spent a great quantity of time listening to us and he still feels hopeful for an outcome we can all live with.

**Don Parent agreed to meet with Jim Talbot and Dan Neirinckx to talk with**

**Rob Cameron (Otay Ranch – Baldwin Properties) to see what they can accomplish together.**

**Dan Kjongegaard wrote an answer to Eric Gibson's letter and it is attached at the end of these minutes.**

**7. AD10-24 Barba Oversized Barn 1781 Mother Grundy Truck Trail –**

**Yvonne Purdy-Luxton** reported that the property is 42.29 acres bordered by Pringle Canyon Road and Mother Grundy Truck Trail. The proposal is to put an oversized barn on the property of 2282 sq feet with outside coverage, which brings it to approximately 3200 square feet. The structure is steel and appears to be in concert with the rest of the neighborhood. There is a 3071 sq foot garage. **Frank Hewitt** asked how close to the neighbors it would be located and was told that it was "quite a ways". The barn is set in the front of the property in the north end. Ordinance states you can only have 5000 square feet of outside enclosures, or you must have an administrative permit. Total including existing enclosures (which are aviaries) is 10526 sq. feet. There is an area for preparation of food. **Yvonne Purdy-Luxton moved that we recommend approval of this Administrative Permit. Motion carried unanimously.**

**8. Otay Ranch Village 14 and 16 – requested information from County of San Diego – Dan Neirinckx – This Item is postponed to the June 8, 2010 meeting.**

**9. General Plan Update - Dan Neirinckx** reported that the GPU Subcommittee met on May 18 as noticed with Dan Neirinckx, Steve Wragg and Mr. Button who is the property owner, was in attendance. He requested that all of his property be zoned commercial rather than the small corner being residential. The recommendation is that the commercial should follow the existing commercial lines rather than the way it is drawn on the map. **The next time this comes before the Planning Commission will be July 9 at 9 a.m. and Dan encouraged Mr. Button and any other affected owner to be present.**

**Dan Neirinckx moved we accept the subcommittee recommendation regarding zoning consistency changes items 1-17 excluding 7Z as there is a conflict of interest (Katzner). Motion carried unanimously. Dan moved we accept the subcommittee recommendation regarding the zoning on 7Z. Motion carried 10-0-1 Abstained (Katzner).**

**Dan Neirinckx moved we accept the subcommittee recommendation regarding minimum lot size changes items 1L, 2L, and 3L. Motion carried 10-0-1 Abstained (Wragg)**

**Dan moved we send the attached letter of our recommendations to Devon Muto of DPLU. Motion passed unanimously.**

## JAMUL, CA 91935

May 25, 2010

Department of Planning and Land Use  
5201 Ruffin Road, Suite B  
San Diego, CA 92123-1666

Devon Muto

Subject: General Plan Update Zoning Consistency Review

In response to your letter of April 28, 2010 the following comments/recommendations are submitted.

**Item 1Z:** No comment!

**Item 2Z:** Concur with change to split zone of C40 for portion of parcel between existing water course and SR94 and RR for remainder with concurrence of property owner.

**Item 3Z:** Recommend parcels retain C36 zone for entire parcels. Problem with consistency is that "staff" incorrectly assigned a land use category that was not appropriate for existing use and which was previously recommended for existing use/zoning in 2005. (Also similar problem with items 4Z, 12Z, 13Z, AND 14Z.)

**Item 4Z:** Recommend parcel retain existing C36 zoning unless change to A70 requested by owner.

**Item 5Z:** Recommend parcel retain existing M52 zoning unless change to A72 requested by owner.

**Item 6Z:** Recommend parcel retain existing C36 zoning unless change to RR requested by owner.

**Item 7Z:** Recommend retain existing zoning as per approved Use Permit Site Plan unless change requested by owner.

**Item 8Z:** Recommend parcels retain existing zoning unless change requested by owner.

**Item 9Z:** Recommend parcels retain existing zoning unless change requested by owner.

**Item 10Z:** Concur with recommended change.

**Item 11Z:** Recommend change with owner's concurrence.

**Item 12Z:** Recommend parcels retain existing zoning unless change requested by owner.

**Item 13Z:** Recommend parcel retain existing zoning unless change requested by owner.

**Item 14Z:** Recommend parcel retain existing zoning unless change requested by owner.

**Item 15Z:** Recommend C30 zoning with owner's concurrence.

**Item 16Z:** Recommend C36 zoning with owner's concurrence.

**Item 17Z:** No comment.

**Item 1L:** Recommend retain existing 2 acre minimum lot size.

**Item 2L:** Concur with staff recommendation.

**Item 3L:** Concur with staff recommendation.

### 10. JDCPG Officers' Announcements and Reports:

**a. Alternatives for Community Representation meeting to be held on Saturday, June 26 at 9 a.m. at DPLU which is a byproduct of a BOS meeting was held on March 21. Dan Kjonsgaard stated a motion made by Supervisor Dianne Jacob set up this hearing.** He further stated that the basis for all this action is the California Political Reform Act, in layman's terms, "conflict of interest". We, the members of a JDCPG are deemed to be "public officials" because we are elected to office and maybe subject to a higher degree of exposure to law suits. At the 3-23-10 BOS meeting, staff was directed to "develop other alternatives for community representation" (i.e.: disband planning groups and replace with appointee's? not unlike the Planning Commissioners). A meeting has been called for June 26, 2010 (after county elections) for our

(Community Planning Group, Community Sponsor Group Chairs, Design Review Board Chairs & Interested Parties **THAT WOULD BE YOU**) input on this political/budgetary conundrum, the notice has been emailed to all of the JDCPG members along with a copy of the 3-23-10 BOS agenda item #16 which lead to this meeting. The opinions stated here are Dan Kjonogaard's, but shared by many other members of planning groups throughout the county.

**Dan Neirinckx presented:**

**b. Guidelines for Determining Significance to Wildland Fire and Fire Protection Guidelines for Determining Significance and Technical Report Format and Content Requirements – Given to Steve Wragg**

**c. Letter from Dep. Of Agriculture – Cleveland National Forest asking for comments on Sunrise Power Link Project – Dan Kjonogaard.**

**d. SDG&E letter regarding project modification reports. Given to Dan Kjonogaard.**

**e. American Society of Landscape Architects, Grants**

**f. Letter from SANDAG re time extension – Regional Transportation Plan – Dan Neirinckx**

**g. MUP78-153-08 – Richland Towers – San Miguel Mountain – Dan Kjonogaard**

**h. POD09-006 -Zoning Ordinance Amendment – Solar Energy – Dan Neirinckx, Steve Wragg, and Yvonne Purdy-Luxton**

**i. Dan Kjonogaard will not be present at the next meeting.**

**j. Janet Mulder will not be present at the June 22, 2010 and asked Judy Bohlen to take notes on the meeting for her.**

**Adjournment:** Dan Kjonogaard adjourned the meeting 9:00 p.m. reminding us that the next regular meeting is **June 8, 2010 at 7:30 p.m. at OAK GROVE MIDDLE SCHOOL LIBRARY**

Respectfully submitted,  
Janet Mulder, Secretary

**Letter written by Dan Kjonogaard to Eric Gibson, DPLU in answer to his letter regarding SDG&E follows on the next two pages:**

**JAMUL DULZURA  
COMMUNITY PLANNING GROUP  
P.O. BOX 613  
JAMUL, CA 91935**

May 26, 2010

Eric Gibson, Director  
Department of Planning and Land Use  
County of San Diego  
5201 Ruffin Rd., Suite B  
San Diego, CA 92123

Subject: Sub-station Placement – Jamul Dulzura Community Planning Area

Dear Mr. Gibson,

At the regular scheduled meeting of May 25, 2010, the Jamul Dulzura Community Planning Group (JDCPG) met with SDG&E and discussed various aspects of the proposed sub-station placement in our community. During the meeting SDG&E outlined the permitting process and all of its aspects that are required, enabling them to submit and obtain a "Permit to Construct" for a new sub-station, from the California Public Utilities Commission (CPUC). Additionally, the site selection process and transmission line routing were discussed at great length. The gentlemen who provided this information were very thorough, and we appreciate their time and efforts. However, the JDCPG and the sub committee that were meeting with SDG&E **do** fully understand the approval process and **are** aware of the difficulties of site selection, and **were aware** of these problems prior to this meeting. The aforementioned group is comprised of fairly sophisticated professionals, with varying skills that pride themselves on being concerned about their community's character.

I have enclosed excerpts of four JDCPG minutes dating back to March 14, 2006. As you read through them you will find reoccurring statements: Do not place the sub-station in the "town center"; underground the transmission lines; and the issue of capacity was consistently questioned.

- March 14, 2006; (first SDG&E presentation), sites had been chosen and some eliminated, with no community input. Capacity was questioned, "Is this a means to back feed the Rancho San Diego area rather than expand the Jamacha sub-station that also feeds portions of Spring Valley?" SDG&E's forecast studies use SANDAG figures which the JDCPG know to be flawed. At this time the JDCPG had completed a groundtruthing study for the General Plan Update (GP2020), and that study reflected that the population within the planning area would be approximately 24,000, double the population at that time. Undergrounding of the new transmission line was brought up.
- September 12, 2006; (second SDG&E presentation), another site was eliminated and the highest rated site was the Simpson Nursery property. A concern was voiced over "community character" problems with the Simpson location. It was pointed out that the farther out the site was from "town center" the less likely it would be to cause "community character" problems. More concerns were addressed regarding the 'excess' capacity of the sub-station.

**NOTE: December 2006, SDG&E purchased Simpson Nursery property for sub-station site with no notification to the JDCPG until 7-8-08.**

- July 8, 2008; comments in Open Forum, that SDG&E had purchased the Simpson Nursery property unbeknownst to the JDCPG and the community-at-large. A meeting with Supervisor Jacob, SDG&E representatives and JDCPG members to discuss the proposed sub-station had to be rescheduled. The representatives from SDG&E were not knowledgeable on the subject. Community members felt as if the "deal were done" and questioned their ability to have input on the issue.



- August 12, 2008; it was reported that in July 2008, the previously mentioned rescheduled meeting with Supervisor Jacob took place. When Supervisor Jacob was asked her opinion as to the possible location. She told them at that time she questioned the need for the sub-station, and if they felt it was absolutely necessary, she strongly suggest that it be located outside the “town center” and recommended that they meet with the JDCPG for direction. At the JDCPG meeting SDG&E representatives asked to have a sub-committee appointed to go over the plans, problems, and concerns on a regular basis. Members of the JDCPG and community members addressed the same concerns that had been voiced from the onset of this project as stated in the minutes.

The date gaps that appear in the above noted minutes reflect the frequency of meetings that SDG&E attended. Since the formation of the sub-committee the meetings were for the most part prior to each scheduled JDCPG meeting (twice a month).

Subsequent to my letter to you, dated April 29, 2010, two members of the JDCPG met with Mr. Rob Cameron, JPB Development to discuss the feasibility of SDG&E locating their proposed sub-station on one of the two Preferred Alternative Sites (as described in our previous letter). Mr. Cameron indicated that Site #13 was going to be developed into homes sites (approved Village 16), but they did have property that might be used in close proximity, which is also adjacent to the proposed transmission line. Site #10A could possibly be made available also, based on an acceptable modification / relocation of the existing road easement. Mr. Cameron indicated his concern was only to assure road access to their property. At last night’s meeting SDG&E’s representatives were apprised of this development, and they have committed to meeting with those two members of the JDCPG and Mr. Cameron to discuss these alternative sites.

Until last night, the JDCPG firmly believes that SDG&E has not dealt with our community in a fair and open fashion; they have disregarded our suggestions and gone on their predetermined course. The events that transpire in the coming weeks will set the tone for future interaction with SDG&E.

While we can appreciate the need for reliable electric distribution facilities, what is the price that is to be paid? The JDCPG and community can support a properly sited sub-station where the ingress and egress of the power lines are under ground, which has a capacity that serves our area and not the Rancho San Diego / Spring Valley areas. If we cannot come to agreement on these issues, the Jamul / Dulzura Community Planning Group will go before the CPUC and oppose the construction of this sub-station in our community

Sincerely,

Dan Kjonsgaard  
JDCPG Chair

Cc: Rob Cameron, Executive Vice President, JPB Development, LLC  
Jessie J. Knight, CEO, SDG&E  
Dianne Jacob, District 2 Supervisor  
Don Parent, Public Affairs Manager, SDG&E